

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

ALICIA DIEDERICH, ET AL.,	)	
	)	
Plaintiffs,	)	
vs.	)	NO. CIV-21-0054-HE
	)	
HILAND DAIRY FOODS CO., LLC,	)	<b><u>TRIAL DOCKET: FEBRUARY, 2022</u></b>
	)	
Defendant.	)	

**SCHEDULING ORDER**

Dated 04/07/2021

Judge Joe Heaton, Presiding

Deputy Clerk: Lisa Minter

Appearing for plaintiff(s): Felina Rivera, Esq., and Rachel Bussett, Esq.,

Appearing for defendant(s): Orion Strand, Esq.,

☒ **JURY TRIAL DEMANDED** - ☐ **NON-JURY TRIAL**

**THE FOLLOWING DEADLINES ARE SET BY THE COURT:**

1. Motions to join additional parties to be filed by 30 days from today; and Motions to amend pleadings to be filed by 30 days from today.
2. Plaintiff(s) to file a **final** list of **expert witness(es) in chief and submit expert reports** to defendant(s) by 09/15/2021.\* Defendant(s) to file a **final** list of **expert witness(es) in chief and submit expert reports** to plaintiff(s) by 10/01/2021.\*
3. Plaintiff(s) to file a **final** list of **witnesses** together with addresses and brief summary of expected testimony where a witness has not already been deposed by 10/01/2021.\* Defendant(s) to file a **final** list of **witnesses** (as described above) 10/15/2021.\*
4. Plaintiff(s) to file a **final exhibit** list by 10/01/2021.\* Defendant(s) to file objections to plaintiff(s) final exhibit list, under Fed.R.Civ.P. 26(a)(3)(B) by 10/15/2021.
5. Defendant(s) to file a **final exhibit** list and any exhibits not previously submitted by 11/01/2021.\* Plaintiff(s) to file objections to defendant(s) final exhibit list, under Fed.R.Civ.P. 26(2)(3)(B) by 11/15/2021.

**\*The listing of witnesses and exhibits shall separately state those expected to be called or used and those which may be called or used if the need arises. Except for good cause shown, no witness will be permitted to testify and no exhibit will be admitted in any party's case in chief unless such witness or exhibit was included in the party's filed witness or exhibit list.**

6. **Discovery** to be completed by 11/01/2021.
7. All **dispositive** and *Daubert* **motions** to be filed by 11/15/2021.
8. If the deadline for dispositive motions and *Daubert* motions precedes the discovery deadline, the parties are expected to conduct any discovery necessary for such motions in advance of the motion deadline.
- TRIAL DOCKET: FEBRUARY, 2022.\*\***
10. Motions in limine to be filed by 01/15/2022.
11. Requested *voir dire* to be filed by 01/15/2022
12. Trial briefs (optional unless otherwise ordered) to be filed by 01/15/2022.
13. Requested jury instructions to be filed on or before 01/15/2022.
14. Proposed findings and conclusions of law are to be filed not later than \_\_\_\_\_.\*\*\*

**\*\*Trial dockets generally begin the second Tuesday of each month. However, this practice varies, particularly during holidays. The setting or sequence of trials in both criminal and civil cases is ordinarily determined at docket call.**

**\*\*\*In addition to filing, the parties are encouraged, but not required, to submit their proposed jury instructions or findings and conclusions of law in Microsoft Word Format to the Clerk, via the court's designated mail box at [heaton-orders@okwd.uscourts.gov](mailto:heaton-orders@okwd.uscourts.gov).**

- The interval between the dispositive motion deadline (¶ 7) and trial docket (¶ 8) is relatively inflexible. An extension of time to file or respond to a motion for summary judgment will likely affect the trial setting.
9. Designations of deposition testimony to be used at trial to be filed by 01/15/2022. Objections and counter designations to be filed by 01/25/2022.
15. Responses to motions in limine shall be filed within **fourteen (14) days**. Any objections or response to the trial submissions referenced above in ¶ 14, ¶ 15, ¶ 16 and/or ¶ 17 shall be filed within **seven (7) days**.
16. The **Final Joint Pretrial Report**, approved by all counsel, and in full compliance with Local Rules (See Appendix IV), together with a proposed order approving the report, to be submitted to the court by 01/15/2022.

17. This case is referred to ADR:

- ☐ By agreement of the parties, with the approval of the court:
- ☒ By order of the court:
- ☒ Mediation;
- ☐ Judicial Settlement Conference; or
- ☐ Other: \_\_\_\_\_.

If the case is referred to mediation, the process shall be completed and a report filed with the court by the parties, stating whether the case settled, not later than 09/01/2022 .

18. Notwithstanding LCvR16(a), this case will not be automatically set for judicial settlement conference. The court will, however, ordinarily order such a conference if the parties file a joint motion requesting same within **seven (7) days** after the trial docket is published. The motion shall provide reasons justifying the commitment of court resources to the settlement process and shall describe the efforts of the parties to effect an agreed resolution of the case by direct discussions or otherwise. The court may order such a conference upon the motion of a single party filed within that time period, but any such motion must make

a particularly strong showing of the need for judicial conference and shall state why a joint motion has not been made.

19. ☐ The parties consent to trial by U.S. Magistrate Judge.
20. ☐ Initial disclosures pursuant to Fed.R.Civ.P. 26 have been: ☐ made; ☐ are excused; or ☐ shall be made not later than \_\_\_\_\_.
21. ☐ Other: \_\_\_\_\_.

Dated this 7<sup>th</sup> day of April, 2021

**BY ORDER OF THE COURT  
CARMELITA REEDER SHINN, CLERK OF COURT  
WESTERN DISTRICT OF OKLAHOMA**

By: s/Lisa Minter  
Deputy Clerk

Copy to all parties.